

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN A. MAGANA,

Plaintiff,

v.

CSP SOLANO CDCR, et al.,

Defendants.

No. 2:23-cv-2007 DJC AC P

ORDER

Plaintiff, a former state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 9, 2025, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 18. Neither party filed objections to the findings and recommendations.

Although it appears from the file that Plaintiff's copy of the findings and recommendations was returned, plaintiff was properly served. It is the Plaintiff's responsibility to keep the Court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully

1 effective. Indeed, the fact that the copy of the Magistrate Judge's findings and
2 recommendations were returned indicate a continuing failure to abide by the
3 requirement that Plaintiff keep the Court apprised of his current address. See L. R.
4 183(b).

5 The Court has reviewed the file and finds the findings and recommendations to
6 be supported by the record and by the Magistrate Judge's analysis. Moreover,
7 having considered the factors described in *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260
8 (9th Cir. 1992) the Court finds that dismissal is appropriate.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. The findings and recommendations (ECF No. 18) are adopted in full;
- 11 2. This action is dismissed without prejudice for failure to prosecute; and
- 12 3. The Clerk of the Court is directed to close this case.

13
14 IT IS SO ORDERED.

15 Dated: **May 23, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE